

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

OCT 6 1997

PATRICK FISHER
Clerk

MARCOS ALONZO DE LA CRUZ,

Petitioner - Appellant,
v.

DONALD A. DORSEY, Warden and
ATTORNEY GENERAL OF THE
STATE OF NEW MEXICO,

Respondents - Appellees.

No. 96-2116
(D.C. No. CIV-94-30-HB)
(District of New Mexico)

ORDER AND JUDGMENT*

Before **TACHA, HENRY** and **LUCERO**, Circuit Judges.

Upon careful consideration of the record, the briefs of the parties, the district court's order, and the applicable law, we AFFIRM for substantially the reasons stated in the district court's order.

ENTERED FOR THE COURT

Carlos F. Lucero
Circuit Judge

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. This court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.